



Order Filed on November 4, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNDERWOOD & MICKLIN, LLC**

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Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-2(c)**

Chapter 13

In Re:

Case No.: 18-23221

SONDA SMITH

Hearing Date: November 4, 2020

Hon. Rosemary Gambardella

**CONSENT ORDER ON MOTION TO MODIFY MORTGAGE**

The relief set forth on the following page is hereby ORDERED.

**DATED: November 4, 2020**

A handwritten signature in cursive script that reads "Rosemary Gambardella".  
\_\_\_\_\_  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

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Case No: 18-23221 RG

This matter coming before the Court on Debtor's Motion to Modify the Mortgage, and good cause being shown it is hereby:

**ORDERED** as follows:

1. **IT IS ORDERED** that the parties consent to the temporary reinstatement of the Stay with respect to the Bank of NY, pending the trial period of the loan modification;
2. **IT IS FURTHER ORDERED** that as long as Debtor remains current on payments to the Trustee and Creditor, a confirmation hearing adjournment may be requested.;
3. **IT IS FURTHER ORDERED** that in the event of default:  
  
If the Debtor should fail to make any future Chapter 13 plan payment for a period of more than thirty (30) consecutive days, the Trustee shall file a Certification of Default with notice of said Certification to the Debtor and Debtor's attorney, if any, and the court shall enter an Order Dismissing the Debtor's case.
4. **IT IS FURTHER ORDERED** that in the event of default:  
  
If the Debtor fails to make the regular monthly payments within thirty (30) days of the date payments are due to the creditor, Bank of NY, then the secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, Certification specifying the Debtor's failure to comply with this Consent Order. At the time the Certification is filed with the

court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's Attorney, if any.

5. Communication and/or negotiations between debtors and mortgagees/mortgage servicers about loan modification will not be deemed as violation of the automatic stay, and any such communication or negotiation must not be used by either party against other in any subsequent litigation.
6. If a permanent loan modification is approved, Debtor may file a motion to approve said permanent loan modification.

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Rosemary Gambardella U.S.B.J

In re:  
Sonda D Smith  
Debtor(s)

Case No. 18-23221-RG  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Nov 04, 2020

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 06, 2020:

Recip ID	Recipient Name and Address
db	+ Sonda D Smith, 175 Myrtle Ave, Passaic, NJ 07055-3138

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 06, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 4, 2020 at the address(es) listed below:

Name	Email Address
Amy Forman	on behalf of Creditor Wynnefield at Somerset Condominium Association Inc. collections@theassociationlawyers.com
Andrew Micklin	on behalf of Debtor Sonda D Smith Andrew@southjerseylawyers.com ardithreeve@comcast.net
Denise E. Carlon	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Jonathan C. Schwalb	on behalf of Creditor Planet Home Lending as servicer for Wilmington Trust National Association not in its individual capacity but solely as Trustee of MFRA Trust 2015-1 bankruptcy@friedmanvartolo.com
Jonathan C. Schwalb	on behalf of Creditor Planet Home Lending LLC bankruptcy@friedmanvartolo.com
Marie-Ann Greenberg	

District/off: 0312-2

User: admin

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Total Noticed: 1

magecf@magtrustee.com

Marlena S. Diaz-Cobo

on behalf of Creditor Wynnefield at Somerset Condominium Association Inc. collections@theassociationlawyers.com

Nicholas V. Rogers

on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A. ET.AL. nj.bkecf@fedphe.com

Nicole B. LaBletta

on behalf of Creditor THE BANK OF NEW YORK MELLON et al c/o NewRez LLC d/b/a Shellpoint Mortgage Servicing nlabletta@pincuslaw.com brausch@pincuslaw.com

Rebecca Ann Solarz

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper rsolarz@kmlawgroup.com

Scott Penick

on behalf of Creditor Wynnefield at Somerset Condominium Association Inc. collections@theassociationlawyers.com

Sherri Jennifer Smith

on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A. ET.AL. ssmith@pincuslaw.com, nj.bkecf@fedphe.com

Steven P. Kelly

on behalf of Creditor BAC BONY (CWABS2004-11) skelly@sterneisenberg.com bkecf@sterneisenberg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 14